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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,792	07/13/2001	Hao-Chih Chen	B-4238 618932-3	4932

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EXAMINER

DI GRAZIO, JEANNE A

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/905,792	Applicant(s) CHEN, HAO-CHIH	
	Examiner Jeanne A. Di Grazio	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Priority to TW-90100899 (Jan. 16, 2001) is claimed.

Allowable Subject Matter

Claims 3 and 6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,7-9 rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's

Admitted Prior Art (APA)(Figure 1B).

Per claims 1, 7-9: Figure 1B discloses a conventional backlight unit for a liquid crystal display and has a light guide plate (40) having a light receiving lateral side, a first coupling lateral side, and a second coupling lateral side, the first coupling lateral side having a first coupling member (42 and also 15) and the second coupling lateral side having a second coupling member (42 and also 15);

a reflector (30) disposed along the light receiving lateral side, said reflector having a reflective cover, an opening, a first holder (projection 32) and a second holder (not shown), the opening positioned toward the light receiving lateral side, the first holder (projection 32)

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extending toward the first coupling lateral side and the second holder extending toward the second coupling lateral side, the first holder having a first linking member (35), and the second holder having a second linking member (not shown); and

a light source (lamp 34) installed inside the reflector (30), the light emitted from the light source being reflected by the reflective cover and transmitted to the light guide plate,

wherein the first and second coupling members (42 and also 15) are respectively combined with first and second linking members (35) for assembling the reflector and the light guide plate, and a predetermined distance is formed between the light source and the light guide plate (when the coupling and linking members are joined a predetermined must be formed between light source and light guide plate).

The unit further comprises a reflecting sheet (20) under the light guide plate and diffusing means (50), diffusing sheet (52), prism sheet (54), and protecting film (56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over APA.

Per claim 2: APA discloses the claimed invention except for that the first coupling member is a protrusion, the first linking member is a recess, and the protrusion is positioned in the recess when the first coupling member combines with the first linking member.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a first coupling member as a protrusion instead of a recess and the first linking member a recess instead of a protrusion, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over APA.

Per claims 4 and 5: APA discloses the claimed invention except for the protrusion having a wedged / triangular wedged shape. It would have been an obvious matter of design choice to have a protrusion of a wedge or triangular wedge shape since such a modification would have involved a mere change in size of the component. A change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

Claims 1, 7-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Miwa (US 6,512,557 B1).

Per claims 1, 7-9: Miwa discloses an optical plate (8) having a light receiving lateral side, a first coupling lateral side, and a second coupling lateral side, the first coupling lateral side having a first coupling member (projection 13) and the second coupling lateral side having a second coupling member (projection 13);

a reflector (12) disposed along the light receiving lateral side, said reflector having a reflective cover, an opening, a first holder and a second holder (not shown), the opening positioned toward the light receiving lateral side, the first holder extending toward the first coupling lateral side and the second holder extending toward the second coupling lateral side, the

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first holder having a first linking member, and the second holder having a second linking member (not shown); and

a light source (lamp 10) installed inside the reflector (12), the light emitted from the light source being reflected by the reflective cover and transmitted to the light guide plate,

wherein the first and second coupling members (projection 13) are respectively combined with first and second linking members (14) for assembling the reflector and the light guide plate, and a predetermined distance is formed between the light source and the light guide plate (when the coupling and linking members are joined a predetermined must be formed between light source and light guide plate)(columns 6 and 7, entire patent).

Miwa does not appear to specify that the reflector has a first holder and a second holder, the opening positioned toward the light receiving lateral side, the first holder extending toward the first coupling lateral side and the second holder extending toward the second coupling lateral side, the first holder having a first linking member, and the second holder having a second linking member; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflector since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Miwa (US 6,512,557 B1).

Per claim 2: Miwa discloses the claimed invention except for that the first coupling member is a protrusion, the first linking member is a recess, and the protrusion is positioned in the recess when the first coupling member combines with the first linking member.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a first coupling member as a protrusion instead of a recess and the first linking member a recess instead of a protrusion, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Miwa (US 6,512,557 B1).

Per claims 4 and 5: APA discloses the claimed invention except for the protrusion having a wedged / triangular wedged shape. It would have been an obvious matter of design choice to have a protrusion of a wedge or triangular wedge shape since such a modification would have involved a mere change in size of the component. A change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne A. Di Grazio whose telephone number is (703)305-7009. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached on (703) 305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703)746-8741.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Jeanne Andrea Di Grazio

JDG

Robert Kim, SPE


ROBERT H. KIM
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